

Express # EK 419816454 US
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December 12, 2001 Date of Deposit
Joseph A. Lipovsky Name of Depositor

Joseph A. Lipovsky
12/12/01

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PTO/SB/05 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032
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12 18-01

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UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Attorney Docket	0052.01
		First Inventor	Craig A. Shoemaker et al.
		Title	Modified Live <i>Flavobacterium Columnare</i> Against Columnaris Disease in Fish
		Express Mail Label	EK 419816454 US
APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>		ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27. 2.

3. Specification [Total Pages 21]
(preferred arrangement set forth below)
- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. Drawing(s) (35 U.S.C. 113) [Total Sheets ____]

5. Oath or Declaration [Total Pages 2]
a. Newly executed (original or copy)
b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 17 completed)
i. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. CD-ROM or CD-R (2 copies); or
ii. paper
c. Statements verifying identity of above copies

9. Assignment Papers (cover sheet & document(s))

10. 37 CFR 3.73(b) Statement Power of (when there is an assignee) Attorney

11. English Translation Document (if applicable)

12. Information Disclosure Copies of IDS Statement (IDS)/PTO-1449 Citations

13. Preliminary Amendment

14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. Nonpublication Request Under 35 USC 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17. Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:
 Continuation Divisional Continuation-in-part (CIP) Divisional Continuation-in-part (CIP) of prior application No. _____

Prior application information: Examiner: _____ Group/Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label

25712

Name (Print/Type)	Joseph A. Lipovsky	Registration No. (Attorney/Agent)	34,526
Signature	<u>Joseph A. Lipovsky</u>	Date 12/12/01	

(Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

FEE TRANSMITTAL

FY2002

Total Amount of Payment **\$ 780.00**

Complete If Known

Application Number: New
 Filing Date: December 12, 2001
 First Named Inventor: Craig A. Shoemaker et al.
 Examiner Name:
 Group/Art Unit:
 Attorney Docket Number: 0052.01

Method of Payment

1. The Commissioner is hereby authorized to charge any fees set forth in CFR §§ 1.116 to 1.118 to the Deposit Account listed below for the entire pendency of the application, or credit any overpayment to this account. A duplicate copy of this sheet is enclosed:

Deposit Account Number: **01-0455**

Deposit Account Name: **USDA-ARS-OTT**

Fee Calculation:

1. Basic Filing Fee

Large Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740.00	Utility Filing Fee	740.00
106	330.00	Design Filing Fee	
107	510.00	Plant Filing Fee	
108	740.00	Reissue Filing Fee	
114	160.00	Provisional Filing Fee	

SUBTOTAL (1) \$ 740.00

2. Extra Claim Fees

Total Claims	Independent Claims	Extra Claims	Fee From Below	Fee Paid
15	-20**	- X	18.00	= -
Claims	1	- 3**	- X	84.00 = -
Multiple Dependent	-	- X	-	= -

** Denotes number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Fee Description
103	18.00	Claims in excess of 20
102	84.00	Independent claims in excess of 3
104	280.00	Multiple dependent claims, if not paid
109	84.00 **	Reissue independent claims over original patent
110	18.00 **	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$

FEE CALCULATION (Continued)

3. Additional Fees

Large Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130.00	Surcharge - late filing fee or oath	
127	50.00	Surcharge - late provisional filing fee or cover sheet	
139	130.00	Non-English specification	
147	2,520.00	For filing a request for examination	
112	920.00*	Requesting publication of SIR prior to Examiner action	
113	1,840.00*	Requesting publication of SIR after Examiner action	
115	110.00	Extension for reply within first month	
116	400.00	Extension for reply within second month	
117	920.00	Extension for reply within third month	
118	1,440.00	Extension for reply within fourth month	
128	1,960.00	Extension for reply within fifth month	
119	320.00	Notice of Appeal	
120	320.00	Filing a brief in support of an appeal	
121	280.00	Request an oral hearing	
138	1,510.00	Petition to institute a public use proceeding	
140	110.00	Petition to revive - unavoidable	
141	1,280.00	Petition to revive - unintentional	
142	1,280.00	Utility issue fee (or reissue)	
143	460.00	Design issue fee	
144	620.00	Plant issue fee	
122	130.00	Petitions to the Commissioner	
123	50.00	Petitions related to provisional applications	
126	180.00	Submission of Information Disclosure Statement	
581	40.00	Recording each patent assignment per property (times number of properties) \$ 40.00	
146	740.00	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740.00	For each additional invention to be examined (37 CFR § 1.129(b))	

Other Fee (specify) _____

Other Fee (specify) _____

* Reduced by Basic Filing Paid

SUBTOTAL (3) \$ 40.00

Submitted By					
Name (Print/Type)	Joseph A. Lipovsky	Registration No. (Attorney/Agent)	34,526	Telephone	309/681-6514 309/681-6688 FAX
Signature	Joseph A. Lipovsky			Date	12/12/01

Fees current as of 10/01/2001

Express # EK 41981645 US
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**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor Craig A. Shoemaker et al.

Title *Modified Live Flavobacterium Columnare
Against Columnaris Disease in Fish*

Atty Docket Number 0052.01

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

12/12/01

Date

Joseph A. Lipovsky

Signature

Joseph A. Lipovsky

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.